06-06-05 JC02 Rec'd PCT/PTO 03 JUN 2005

FORM PTO-1390 (Modified) (REV. 2-2005) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
Q02-02B : 65.02USN	10/537715

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US2003/039945	16 December 2003	16 December 2002

TITLE OF INVENTION

METHOD, SYSTEM, AND PROGRAM FOR NETWORK DESIGN, ANALYSIS, AND OPTIMIZATION

APPLICANT(S) FOR DO/EO/US

VON KAENEL, Tim A.; GOODWIN, Jonathan D.; STIER, Mark A.; SCHATTMAIER, Steven M.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
   a. ☐ is attached hereto (required only if not communicated by the International Bureau).
   b. ☐ has been communicated by the International Bureau.
   c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☐ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☒ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821 - 1.825.
20. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 726 573 155 US
23. ☒ Other items or information:

supplemental Publication including Search Report

PTO/SB/371 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/537715	PCT/US2003/039945	Q02-02B : 65.02USN

The following fees are submitted:		CALCULATIONS	PTO USE
24. ☒ Basic national fee	$300	$ $300.00	
25. ☒ Examination fee			
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	$100	$ $200.00	
All other situations	$200		
26. ☒ Search fee			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	$100		
International Search Report prepared and provided to the Office	$400		
All other situations	$500	$ $400.00	
TOTAL OF 24, 25 and 26 =		$ $900.00	

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole	RATE		
- 100 =	0 /50 =	0	x	$250.00	$ $0.00

Surcharge of **$130.00** for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). $

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	45 - 20 =	25	x	$50.00	$ $1,250.00
Independent claims	3 - 3 =	0	x	$200.00	$ $0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) ☐			+	$360.00	$ $0.00
TOTAL OF ABOVE CALCULATIONS =					$ $2,150.00
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					$ $0.00
SUBTOTAL =					$ $2,150.00
Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					$ $0.00
TOTAL NATIONAL FEE =					$ $2,150.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40 per property +					$ $40.00
TOTAL FEES ENCLOSED =					$ $2,190.00
					Amount to be $
					Amount to be $

a. ☒ A check in the amount of $ **$2,190.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0585**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Janaki K. Davda
SIGNATURE

Janaki K. Davda
NAME

40,684
REGISTRATION NUMBER